



Council report

Meeting date:	March 2, 2021
Title:	Request to Purchase Municipal Properties – Unopened Road Allowances
Prepared by:	Lorelie Spencer, Manager of Planning and Development
Reviewed by:	Laura Johnston, CAO

Recommendation

That council provides staff direction for the future sale of unopened road allowances; and further

That council provide direction regarding the current requests to council, outlined in this report as request #1, #2, #3.

Executive summary

Over the past year, there have been multiple requests from the public to purchase unopened road allowances for the purposes of lot additions. Staff were directed to obtain further information on the merits of these requests.

Should council determine that the sale of unopened road allowances, notice must be provided to all abutting landowners regardless of the source of the request.

Background and discussion

The three properties are located at the following addresses:

- 1.) The requested purchase of a portion of unopened road allowance North of 280 Elm Street East in Durham.
- 2.) The requested purchase of a portion of Concession 14 NDR on an unopened road allowance along lots 21-25 to the extent of the lands owned by the applicant and not those extending beyond their property limit.
- 3.) The requested purchase of a portion of Caroline Street North, Plan #0101, east of lots 1, 2, 3, 4, and 5.

In each case it is anticipated that the lands would be joined to adjacent property as a requirement and would not be standalone parcels. Staff are concerned that the continued sale of unopened road allowances should be defined by Council as something that is supported or denied to



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prevent the expenditure of funds to investigate each request.

The sale of the lands identified as request no. 1 can be supported by Planning Staff. The legal opinion regarding the same does not identify the purchase as bonusing and can be supported provided there are no further interested parties. An appraisal of the subject lands has been obtained and will be used for the basis of the sale should Council wish to proceed.

The sale of the lands identified as request no. 2 creates an irregularly shaped parcel which is not consistent with the general intent and policies of the County Official Plan which encourage contiguous parcel development. The cautionary component of the disposition of this sale is that other abutting property owners may have an interest in the purchase of the unopened road allowance further aggravating the lot pattern in the area. Planning staff recommend that in the event other parties are interested in the abutting lands that the disposition of the land should not be completed.

The sale of the lands identified as request no. 3 is problematic. To dispose of the lands it would eliminate the need for future development of Caroline Street as identified by Planning staff and legal counsel. Council will need to consider the disposition of the balance of Caroline Street to either the interested party, or any abutting property owner. Similar to the request above, this will create irregular lot patterns in addition to hindering the further development of lands within a defined settlement area in future.

Legal and legislated requirements

- Municipality of West Grey Disposition of Land By-law No. 23-2008
- Planning Act, R.S.O. 1990, as amended

Financial and resource implications

- Completion and receipt of appraisals
- Completion and receipt of surveys
- Circulation regarding the offer to purchase to all abutting property owners
- A tender process regarding interest in the purchase of property

Staffing implications

None.

Consultation

- Municipal Solicitor and appraiser

Alignment to strategic vision plan



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Pillar: Build a better future
Goal: Preserve municipal assets
Strategy: Take a co-operative approach to development

Attachments

None.

Next steps

- Completion and receipt of appraisals for all properties
- Completion and receipt of surveys for all properties
- Circulation regarding the offer to purchase to all abutting property owners
- A tender process regarding interest in the purchase of property

Respectfully submitted:



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